

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

AIMEE SMITH,)
)
Plaintiff,)
)
v.) **Case No. CV-2:06-CV-00027-CSC**
)
KENTUCKY FRIED CHICKEN,)
)
Defendant.)

DEFENDANT'S MOTION FOR LEAVE TO FILE REPLY BRIEF

NOW COMES Defendant KFC U.S. Properties, Inc.¹, by and through counsel, and respectfully requests the leave of this Court to file a reply brief in response to Plaintiff Smith's Response in Opposition to Defendant's Motion to Dismiss or, in the Alternative, Stay the District Court Proceedings and Compel Arbitration.

Defendant seeks leave to file a reply in order to present evidence to refute statements contained in the affidavits affixed to Plaintiff's Opposition, and to present other evidence probative to, and in support of, Defendant's Motion to Dismiss or, in the Alternative, Stay the District Court Proceedings and Compel Arbitration. Defendant has contacted counsel for Plaintiff regarding this Motion, and Plaintiff's counsel has represented that she has no objection to this Motion.

¹ Defendant is incorrectly named in the style of the Complaint as Kentucky Fried Chicken.

WHEREFORE, Defendant respectfully requests leave to file a reply memorandum in response to Plaintiff's Opposition on or before Monday, March 27, 2006.

Respectfully submitted this 21st day of March, 2006.

/S/ Kira Y. Fonteneau

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

This is to certify that the undersigned electronically filed the foregoing Defendant's Motion for Leave to File Reply Brief with the Clerk of the Court using the CM/ECF system that will send notification of such filing to the following:

PRISCILLA BLACK DUNCAN
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This 21st day of March, 2006

/s/ Kira Fonteneau

Kira Fonteneau ASB-7338-K58F